

# MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

## PART I: GENERAL INFORMATION

<b>Type of Requestor:</b> (x) HCP ( ) IE ( ) IC	<b>Response Timely Filed?</b> ( ) Yes (x) No
Requestor's Name and Address Sierral Medical Center P. O. Box 676972 Dallas, TX 75267	MDR Tracking No.: M4-03-7303-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address CITY OF EL PASO PO BOX 162443 WESTLAKE STATION AUSTIN TX 787160000  Austin Commission Representative Box 42	Date of Injury:
	Employer's Name: City of El Paso
	Insurance Carrier's No.: 000092444

## PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
7/05/02	7/09/02	Surgical Admission	\$38,197.90	\$0.00

## PART III: REQUESTOR'S POSITION SUMMARY

Claim should have paid at Stop-Loss 75% of total charges.

## PART IV: RESPONDENT'S POSITION SUMMARY

The bill was reviewed by our Physician Advisor and it was determined this procedure was not considered "unusually extensive"; therefore, we recommended payment based on rule 134.401 Acute Care Inpatient Hospital Fee Guideline, per diem methodology. In addition to rule 134.401 the Texas Labor Code 413.011 (d) states:

"Guidelines for medical services fees must be fair and reasonable and designed to ensure the quality of medical care and to achieve effective medical cost control."

Based on the rules quoted above, we feel our original recommended payment amount of \$39,067.90 falls within the scope of the TWCC Medical Fee Guidelines; therefore, no further payment is due.

## PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed \$40,000 in total audited charges, but also involve "unusually extensive services."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." Accordingly, the stop-loss method does not apply and the reimbursement is to be based on the per diem plus carve-out methodology described in the same rule.

The total length of stay for this admission was 5 days (consisting of 5 days for surgical). Accordingly, the standard per diem amount due for this admission is equal to \$5,590 (5 times \$1,118). The requestor billed \$5,180.00. In addition, the hospital is entitled to additional reimbursement for (implantables/MRIs/CAT Scans/pharmaceuticals) as follows:

No documentation was provided for the cost of the implantables.

Considering the reimbursement amount calculated in accordance with the provisions of rule 134.401(c) compared with the amount previously paid by the insurance carrier, we find that no additional reimbursement is due for these services. The amount paid was \$39,067.90.

#### **PART VI: COMMISSION DECISION**

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is **not** entitled to additional reimbursement.

Findings and Decision by:

	Gail A. Anderson	03/10/05
Authorized Signature	Typed Name	Date of Order

#### **PART VII: YOUR RIGHT TO REQUEST A HEARING**

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on \_\_\_\_\_. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

**Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.**

#### **PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION**

I hereby verify that I received a copy of this Decision in the Austin Representative's box.

Signature of Insurance Carrier: \_\_\_\_\_ Date: \_\_\_\_\_